

1 EDMUND G. BROWN JR., Attorney General  
of the State of California  
2 FRANK H. PACOE  
Supervising Deputy Attorney General  
3 REBECCA HEINSTEIN, State Bar No. 173202  
Deputy Attorney General  
4 455 Golden Gate Avenue, Suite 11000  
San Francisco, CA 94102-7004  
5 Telephone: (415) 703-5604  
Facsimile: (415) 703-5480

6 Attorneys for Complainant

7  
8 **BEFORE THE**  
**BOARD OF REGISTERED NURSING**  
9 **DEPARTMENT OF CONSUMER AFFAIRS**  
10 **STATE OF CALIFORNIA**

11 In the Matter of the Accusation Against:

Case No. 2008-200

12 **CRISTINA BALUBAR HIPOLITO**  
363 Deanne Lane  
Daly City, CA 94014

**A C C U S A T I O N**

13 Registered Nurse License No. 419016

14 Respondent.

15  
16  
17 Complainant alleges:

18 **PARTIES**

19 1. Ruth Ann Terry, M.P.H, R.N (Complainant) brings this Accusation solely  
20 in her official capacity as the Executive Officer of the Board of Registered Nursing.

21 2. On or about August 31, 1987, the Board of Registered Nursing issued  
22 Registered Nurse License Number 419016 to Cristina Balubar Hipolito (Respondent). The  
23 Registered Nurse License was in full force and effect at all times relevant to the charges brought  
24 herein and will expire on November 30, 2008, unless renewed.

25 **JURISDICTION**

26 3. This Accusation is brought before the Board of Registered Nursing  
27 (Board), under the authority of the following laws. All section references are to the Business and  
28 Professions Code unless otherwise indicated.

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28

2  
3  
4  
5

6  
7  
8  
9  
10

11

12

13

14

15

16

17  
18  
19  
20  
21

22

23

24

25  
26  
27  
28

1 **FACTUAL BACKGROUND**

2 9. In or about 2000, Respondent was employed as a registered nurse at  
3 Laguna Honda Hospital in San Francisco, California (LHH). Respondent contacted Apple-A-  
4 Day, an organization that provided training for Cardiopulmonary Resuscitation (CPR)  
5 certification. Apple-A-Day recruited Respondent to host CPR certification training at  
6 Respondent's home.

7 10. Between the approximate period of 2000 through October, 2003,  
8 Respondent obtained CPR certifications issued by Apple-A-Day for approximately 500 nurses,  
9 despite Respondent's knowledge that such individuals had not completed the required  
10 certification training at Respondent's home. Respondent received approximately \$20.00 from  
11 Apple-A-Day for each of these nurses whom were fraudulently certified. Upon learning of  
12 Respondent's involvement in issuing fraudulent CPR certifications, LHH required its entire staff  
13 to participate in additional CPR training.

14 11. Between the approximate period of 2000 through October, 2003,  
15 Respondent contacted Primary Care Nurses 2000, an online continuing education provider, and  
16 requested continuing education course work and examinations on behalf of approximately 400  
17 nurses. Each nurse paid Respondent up to \$40.00 to complete the examination for him or her.  
18 After Respondent completed each examination, Respondent submitted the examination to  
19 Primary Care Nurses 2000 and falsely represented that the nurse had completed the examination.

20 12. In or about October, 2003, Respondent resigned from LHH.

21 **FIRST CAUSE FOR DISCIPLINE**

22 **(Unprofessional Conduct)**

23 13. Respondent is subject to disciplinary action under section 2761(a) of the  
24 Code and Title 16, California Code of Regulations, section 1444(c) on the grounds of  
25 unprofessional conduct in that she committed an act of theft, dishonesty, fraud, or deceit, which  
26 is substantially related to the qualifications, functions or duties of a registered nurse, as set forth  
27 in paragraph 10, above.

28 / / /

1 **SECOND CAUSE FOR DISCIPLINE**

2 **(Unprofessional Conduct)**

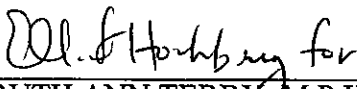
3 14. Respondent is subject to disciplinary action under section 2761(a) of the  
4 Code and Title 16, California Code of Regulations, section 1444(c) on the grounds of  
5 unprofessional conduct in that she committed an act of theft, dishonesty, fraud, or deceit, which  
6 is substantially related to the qualifications, functions or duties of a registered nurse, as set forth  
7 in paragraph 11, above.

8 **PRAYER**

9 WHEREFORE, Complainant requests that a hearing be held on the matters herein  
10 alleged, and that following the hearing, the Board of Registered Nursing issue a decision:

- 11 1. Revoking or suspending Registered Nurse License Number 419016, issued  
12 to Cristina Balubar Hipolito;
- 13 2. Ordering Cristina Balubar Hipolito to pay the Board of Registered Nursing  
14 the reasonable costs of the investigation and enforcement of this case, pursuant to Business and  
15 Professions Code section 125.3;
- 16 3. Taking such other and further action as deemed necessary and proper.

17  
18 DATED: December 26, 2007

19  
20   
21 RUTH ANN TERRY, M.P.H., R.N.  
22 Executive Officer  
23 Board of Registered Nursing  
24 State of California  
25 Complainant  
26  
27  
28